

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ALPINE SECURITIES CORPORATION,

Defendant.

Civil No. 1:17-CV-04179-DLC

Honorable Judge Denise L. Cote
Magistrate Judge Ronald L. Ellis

ECF CASE

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Defendant Alpine Securities Corporation (“Alpine”) hereby appeals to the United States Court of Appeals for the Second Circuit from each and every part of the Opinion and Order of Judge Denise L. Cote (Dkt. No. 140), entered on July 11, 2018, and Injunction (Dkt. No. 141), entered on July 11, 2018, granting Plaintiff United States Securities and Exchange Commission’s (“SEC”) motion for an injunction enjoining Alpine and Scottsdale Capital Advisors, a non-party, from litigating in the United States District Court for the District of Utah case number 18 cv-409(CW) captioned *Alpine Securities Corporation v. United States Securities and Exchange Commission*, which action alleges that the SEC, in its interpretation and use of Rule 17a-8, 17 C.F.R. § 240 *et seq.* is acting in violation of the Administrative Procedures Act and related statutes.

Dated: New York, New York
July 11, 2018

Respectfully submitted,

By: /s/ Maranda E. Fritz
Maranda E. Fritz
THOMPSON HINE LLP
335 Madison Avenue, 12th Floor
New York, New York 10017-4611
Tel. (212) 344-5680
Fax (212) 344-6101
Maranda.Fritz@thompsonhine.com

Brent R. Baker (BB 8285)
Aaron D. Lebenta (*Pro Hac Vice*)
Jonathan D. Bletzacker (*Pro Hac Vice*)
CLYDE SNOW & SESSIONS
One Utah Center
201 South Main Street, Suite 1300
Salt Lake City, Utah 84111-2216
Telephone 801.322.2516
Facsimile 801.521.6280
brb@clydesnow.com
adl@clydesnow.com
jdb@clydesnow.com

*Attorneys for Defendant
Alpine Securities Corporation*

To:

CLERK OF THE COURT via ECF

and

U.S. SECURITIES & EXCHANGE COMMISSION via ECF

Zachary T. Carlyle
Terry R. Miller
1961 Stout Street, 17th Floor
Denver, CO 80294
303-844-1000
carlylez@sec.gov
millerte@sec.gov

*Attorneys for Plaintiff
U.S. Securities & Exchange Commission*

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2018 a copy of the foregoing was filed electronically.

Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

Parties may access this filing through the Court's system.

/s/ Maranda E. Fritz

Maranda E. Fritz